

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

DRAM TECHNOLOGIES LLC,

Plaintiff

vs.

AMERICA II GROUP, INC. d/b/a AMERICA II  
CORP.; AMERICA II ELECTRONICS, INC.; D-  
MAC INTERNATIONAL, INC.; EDX  
ELECTRONICS, INC.; ELITE  
SEMICONDUCTOR MEMORY  
TECHNOLOGY INC.; ETRON TECHNOLOGY  
AMERICA, INC.; ETRON TECHNOLOGY,  
INC.; FIDELIX CO., LTD.; HYNIX  
SEMICONDUCTOR AMERICA, INC.; HYNIX  
SEMICONDUCTOR MANUFACTURING  
AMERICA, INC.; HYNIX SEMICONDURTOR,  
INC.; INTEGRATED SILICON SOLUTION,  
INC.; MEMPHIS ELECTRONIC AG;  
MEMPHIS ELECTRONIC, INC.; ODYSSEY  
ELECTRONICS, LTD.; RAVIN  
ELECTRONICS LLC; TECH RECOVERY LLC  
d/b/a TXCESS SURPLUS; TRU-TRONICS,  
INC. d/b/a TRU-TRONICS INT'L; X-PRESS  
MICRO, INC.; and XITRADE INC. d/b/a  
MEMORYPOT.COM

Defendants.

Civil Action NO. 2:10-CV-45

**DECLARATION OF MENG-HUNG TSAI  
IN SUPPORT OF MOTION TO DISMISS  
FOR LACK OF PERSONAL  
JURISDICTION**

**JURY TRIAL DEMANDED**

**DECLARATION OF MENG-HUNG TSAI**

I, Meng-Hung Tsai, declare as follows:

1 I am a Senior Sales Manager with Defendant Elite Semiconductor Memory Technology, Inc. ("Elite"). I make this declaration in support of Elite's motion to dismiss Plaintiff DRAM Technologies LLC's complaint for lack of personal jurisdiction. I have personal knowledge of the following and if called as a witness could and would competently testify thereto.

2 I have been employed with Elite as a Sales Manager for over six (6) years. My duties include coordinating and conducting sales of memory chips with customers in Korea, Japan and other areas outside China, Taiwan and Hong Kong. In such capacity, I am familiar with Elite's sales, corporate structure, and business model.

3 Elite was founded in 1998 and is headquartered in Taiwan, Republic of China. It has sales offices in Taiwan and China. It also has distributors in Taiwan, China, Hong Kong, Japan, Korea and Germany. Elite does not have offices, employees or distributors in the United States.

4 From 2004 to June 2010, Elite shipped to the United States approximately 1.02 million memory chips, approximately worth a total of \$1.08 million. None of the chips were shipped to Texas.

5 Elite is not registered to do business in any state in the United States, does not attend any trade shows in the US, and has not negotiated any sales contracts in the US. Elite does not advertise in the United States. It does not maintain any bank accounts in the United States nor has it paid income tax here.

6 Elite does not have any agents for service of process in Texas. The company has not recruited a Texas resident, either directly or through an intermediary in Texas, for employment inside or outside Texas. Elite does not maintain a mailing address or telephone listing in Texas, nor does it own, rent, lease, or possess any real or personal property in Texas.

7 Elite maintains a passive website at [www.esmt.com.tw](http://www.esmt.com.tw). Visitors of the company website can review Elite's products, but cannot purchase them online.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on this 27 day of July, 2010 in Hsin Chu, Taiwan.

By: Meng-Hung Tsai  
Meng-Hung Tsai